

to have been confined to Yourselves, whose Attention to the ancient and undoubted Privileges of your own House, will, no doubt, be a good Excuse to your Constituents, for your being entirely unacquainted with the Origin of such an essential Part of our Constitution as the Other.

L. H. J.
Liber No. 49
Dec. 15

Lest any Person should, after Reading your Address, be struck with what is mentioned above, concerning the Manner in which the first Summons or Writs for calling an Assembly, were issued, and wonder how there could be a Secretary or Sheriff in this Province, before an Assembly was ever called, I must here inform him, that his Lordship had a Power given him by his Charter, to Appoint, either by Himself or his Deputy, such and so many Officers, as he should think proper; and that by Virtue of this Power, he did, before any Assembly was called, Appoint, not only the Two Officers above named, but also Military Officers, Commissioners of the Peace, and Coroners, on whom he settled such Fees as he thought adequate to their respective Services; and that after Assemblies were called, and the Constitution settled, he did, at Times, Create such Offices as he judged expedient or necessary. I should be too Tedious, were I to particularize when every Office that is now Established in this Government, was Created: But I cannot help intimating to you, as the Circumstances may not be otherwise known, that in the Year 1681, the then Lower House thought it expedient that they should be allowed a Serjeant at Arms, and “humbly Requested his Lordship to appoint such a Person to attend them during that Session;” but his Lordship, for what Reason does not appear, did not think proper to comply with their Request. p. 212

Before this Time then it could not have been a Question (however Ancient and Undoubted their Right) Whether the Lower House might Order their Serjeant to take a Governor's Secretary, or any of his Family, into Custody? and I believe it is a Question that was never started in any Lower House of Assembly, before the present Session. A Governor has been heretofore desired to permit a Gentleman that did Business for him to attend the Lower House on a particular Occasion; but it is very clear that they did not pretend to the least Authority over him: The Case happened when the Government of this Province was immediately in the Crown, and when the Assembly were disposed to give the Governor an additional Duty of Threee Pence p Hogshead on all Tobacco exported: In order to settle the Quantum of the additional Duty, they wanted to know what the Impost of One Shilling p Hogshead amounted to, and therefore “humbly desired his Excellency would be pleased to permit Mr. Llewelin to go down to the House for some small Time, and that he might bring along with him the several Accounts by him taken from the Naval Officers.”